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THE "OLD HOUSE ON THE HILL"—A NEAR VIEW

“The Old House on the Hill”

A BRIEF HISTORICAL SKETCH
ISSUED AS A SOUVENIR

By COLEMAN RANDOLPH

MORRISTOWN
NEW JERSEY
1921

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Morristown, New Jersey

Printed by the
MORRIS COUNTY PRESS
Morristown, New Jersey

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7-1904

Preface

JN writing this little sketch which is intended to serve as a souvenir of an old historic land mark, it is found necessary to review certain events of that epoch. The "Old House on the Hill" possesses more than a mere personal interest due to its age and the primitive conditions which existed at the time of its foundation. For this reason it is deemed appropriate to take a birdseye sur-

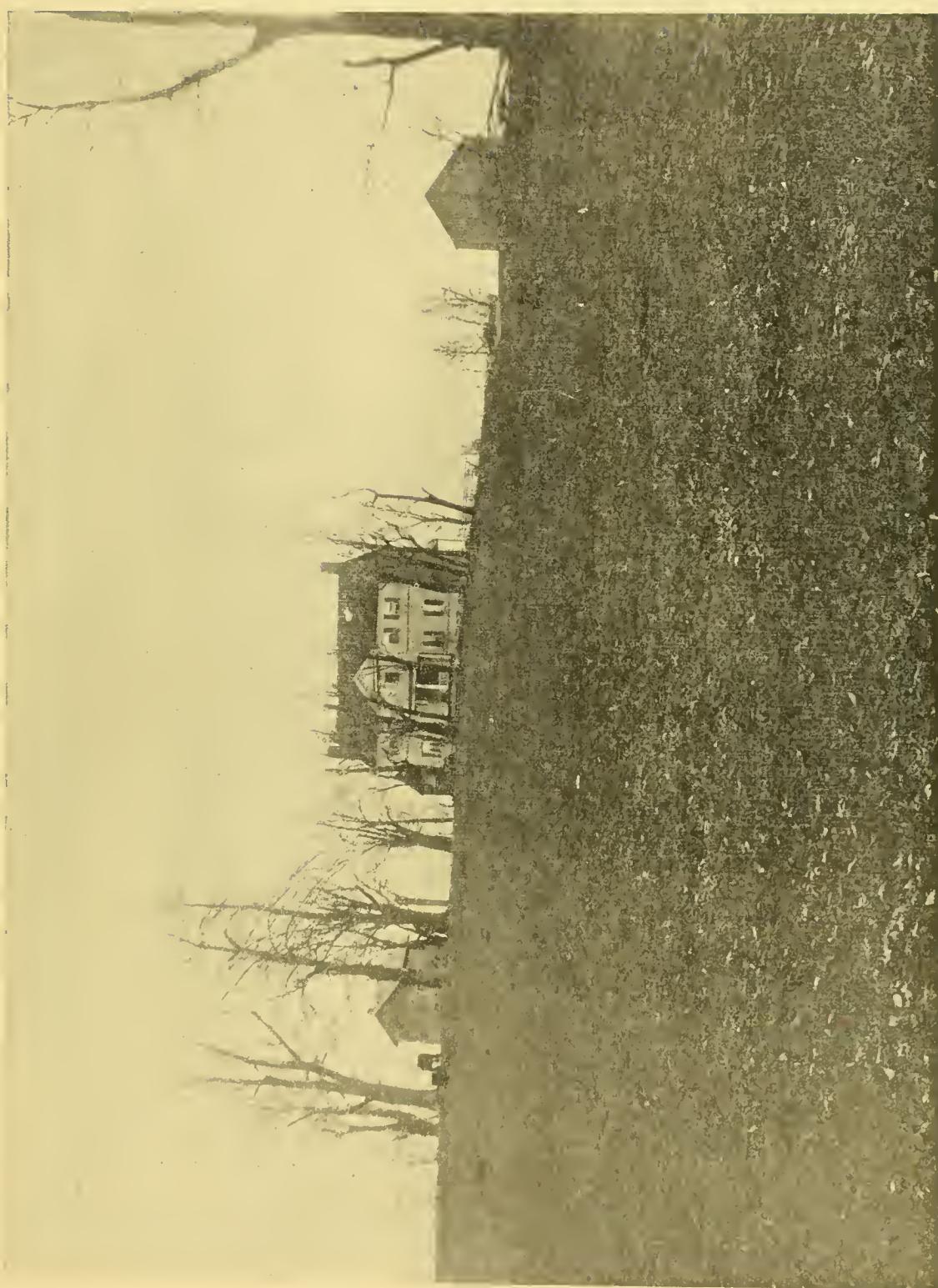
vey of the stirring incidents of that period. A casual examination will suffice to show that the life of the Old House was interwoven with some of the most thrilling and important events of American History; that it was in fact an outpost, a point of observation during a critical period when premature disorganization and disruption of the national government was threatened.

Introduction

THIS is not an age in which one can safely trust to tradition to preserve the records of the past. A few words to explain the purpose of the illustrations contained in this publication, therefore, may not be amiss. The "House on the Hill" or "Federal Hill" as it was formerly called, was in the early days of our Country, one of the bulwarks which marked the frontier of the United States west of the Alleghanies. The house is built of brick manufactured in the neighborhood. It was a substantial structure and made to withstand a siege.

A brief description of the conditions that existed in the United States at the time the house was built will give a better idea of the part it played in the National Life.

The Old House served as a headquarters for loyal patriots to assemble as well as a frontier post. At the time it was built danger lurked in the foreign intrigues which threatened the free navigation of the Mississippi and also the peaceful possession of our western domains from the Ohio River to the Lakes. Internal disaffection moreover required attention. Lawless characters chafed at the supineness of the new Federal Government in guarding their rights against foreign aggression, while with-holding from the Government the support necessary to give it proper vigor to assert itself. The social agitator was ever ready to work upon this seething element of discontent. These observations serve to recall to mind the chaotic mass out of which our Government was composed, while taking shape under the master hands of Empire Builders.



THE "OLD HOUSE ON THE HILL"—A DISTANT APPROACH



MANTLE PIECE IN THE "OLD HOUSE ON THE HILL"
THE FIRE PLACE IS MODERN

“The Old House on the Hill”

THE Village of Washington, Ky., calmly reposes among the hills of northern Kentucky several miles from the Ohio River in what is known as the “Blue Grass” region. A stranger traveling through the country would hardly be tempted to delay his journey to make extended inquiry about the town, which, at first acquaintance, would strike one as modest and commonplace. In the midst of the village, located upon a small elevation which overlooks the immediate neighborhood, is an old brick house which has the appearance, in spite of its dilapidation and age, of having seen better days. A long sweep of lawn extending a considerable distance in several directions seems to forbid the encroachments of the squalid hovels and modern dwellings that have sprung up in later years. Formerly a handsome grove of locust trees adorned the slopes that nature graded up to the Old Mansion, but they have yielded to the decaying process of time which leaves them only a memory of the past.

Not far from the Old House, about a stone's throw, is a little cemetery where repose some

generations of those who first established the Old House and the estate which formerly surrounded it.

It is hardly necessary to say that the “Old House on the Hill,” by which name the mansion is familiarly known, has a history. (a) The most interesting part of that history cannot be told because those who knew it in its best days are taking the “sleep that knows no waking.”

The stranger wandering about the village should be on his guard against some unpleasant reminder of pioneer days. When the country was being settled, occasionally the prudent backwoodsman dug a well inside of his cabin to provide against a cruel want in case he should be besieged and forced to defend himself. There was no means of forecasting when the savage, brooding over his wrongs, might “dig up the hatchet” and painting himself in hideous colors indicative of his purpose, make an attack upon the unsuspecting settler. After the dangers of Indian warfare disappeared and the old cabins were abandoned, the wells still remained and were sometimes discovered in the streets merely covered with boards.

Colonel Thomas Marshall

JN the year 1783 Col. Thomas Marshall received from the State of Virginia the title of Surveyor of Kentucky County.

This County originally comprised a very large section of the country. It was soon after divided into other counties. The name was finally given to the state when it was created. Col. Thomas Marshall and that part of his family which located in Kentucky acquired considerable real estate even for that era. The total amount acquired was about 500,000 acres. Soon after his appointment, Col Marshall organized a small party and shouldering his rifle left

the more settled regions east of the Alleghanies to take possession of his new estate.

Starting out on its career the Government at Washington, D. C., found it sufficiently difficult to stand on its feet without trying to enforce writs of ejectment against the “Red Skins” of the wilderness. The savages thought they had a proscriptive right against all comers. If a cloud rested upon the title, which, according to their way of thinking meant possession and a

(a) It was sometimes called “Federal Hill” on account of the political proclivities of Captain Marshall. “The Marshall Family,” by Wm. M. Paxton, p. 19.

hand strong enough to retain it, it was due to the fact that most of the region now known as the state of Kentucky was formerly a debatable hunting ground where the Northern and Southern Indians often met in pursuing their pastime of the chase. (a) This diversion was sometimes varied by strife among themselves. In keeping with this tradition was the name of the state. This was of Indian origin and was first given to a river known as "Kentucke," which signifies bloody water, and is rather suggestive of its savage christening.

There has been some dispute respecting the reason which influenced Col. Marshall and his sons to penetrate the wilderness and locate in Kentucky. The spirit of adventure which animated many in those days might be assigned as the impelling motive; a desire to settle in a region which was destined to become of great importance and where land could be obtained for practically nothing. It has also been stated that policy and patriotic motives dictated their actions. It seemed that a vigilant eye was required on the frontier to observe the course of events and a masterful mind to inspire a sentiment of loyalty.

The following correspondence between Col. Thomas Marshall and Washington throws considerable light on this subject.

On February 12, 1789, Col. Marshall wrote a letter to Washington in which he speaks of an interview between General Wilkinson and the Spanish Government at New Orleans, afterwards published by General Wilkinson. The Governor requested General Wilkinson to write him a letter "respecting the political interests of Spain and the Americans * * * inhabiting the western waters. This he did in an essay, as he calls it. Col. Marshall continues as follows: "I saw the Governor's letter to him acknowledging receipt of it, and informing him he would lay it before the King of Spain; a copy of this essay he produced and read in our late convention for the district; as well as my memory (which is not very accurate) serves me, the substance of it is as follows: "He urges our natural right of following the current of rivers flowing through the

country into the sea. He states the extent of our country etc., * * * proper for foreign markets, to which we have no means of conveying them, should the Mississippi be closed against us. He states the advantages Spain might derive from allowing us the free use of the river. He states the general abhorrence with which the people of the western waters received the intelligence that Congress was about to sacrifice their dearest interest by ceding to Spain the navigation of the Mississippi for twenty or thirty years and represents it as a fact that they were on the point of separating themselves from the Union on that account."

"He addresses himself to their fears by a pompous display of forces, etc. * * * "Great Britain stands with her arms expanded ready to receive us" and assist our efforts for the accomplishment of this object, etc."

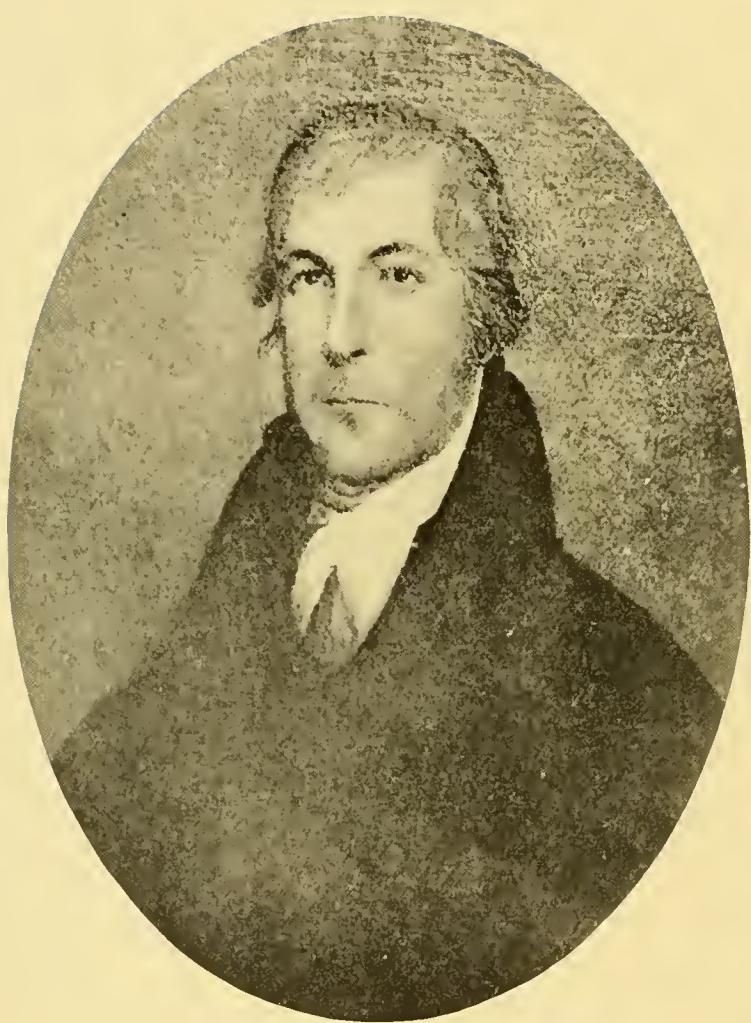
"This essay was, I am told, laid before the Court of Madrid; and as a violent separation from the United States seems to be laid down as the ground work upon which every other consequence depends, I think it probably has produced instructions from the court to the representative at Congress that if the westward country should declare itself separate from the Union, to avail himself of the event etc." (Butler's History of Kentucky, p. 519).

The following passage occurs in a letter written in reply to Col. Marshall, March 27, 1789 by Washington:

"It is true I had previously received some verbal and written information on the subject of a similar tenor, but none which placed the affairs in such an alarming point of view as that in which I now behold."

To explain the situation more fully it is necessary to recall the conditions existing in the United States when the National Government was being formed and the parts of its great

(a) Speaking of Kentucky occurs the following passage in Collins' History of Kentucky: "The dark forests and cane thickets separated the Cherokees, Creeks and Catawbas of the South from the Shawnees, Delawares and Wyandots of the North. (Collins' History, Vol. 1, p. 247)



COLONEL THOMAS MARSHALL



MARY RANDOLPH KIETH MARSHALL
WIFE OF COLONEL THOMAS MARSHALL

widespread domain representing so many and diverse political units were being knit together. The wild and inhospitable character of that re-

gion must be understood to form a correct impression of the hardships and difficulties that had to be borne. (a)

General Character of the Country at That Period

A

SHORT recital of some of the incidents of this period will give a better idea of the actual state of things in that part of the Country.

In the year 1775 occurred the Braddock Massacre near Fort Duquesne, not far from the present city of Pittsburgh, but far to the eastward of the town of Washington, Ky. The battle of the "Blue Licks" a few miles east of Washington was fought in 1732, where the whites lost sixty men, about one-tenth of the fighting population of the State. (b) It is said that in 1768 an explorer by the name of John Finley did not find one white man's cabin in all of Kentucky. Even as late as 1810, Wilson, a naturalist, speaking of Lexington, Ky., writes: "Within the memory of a middle-aged man who gave me the information there were only two log huts on the spot where the city is now erected, while the surrounding country was a wilderness rendered hideous by skulking bands of bloody and ferocious Indians."

(c)

In fact, it was even thought expedient in certain quarters to delay the development of that region. It was the policy of Lord Hillsborough to prevent colonization and hold the country through the friendship of the Natives. (d) Washington, actuated by a more progressive spirit, had ideas of colonizing this section. (e) In 1784, he made a tour through the region west of the Alleghanies. (f)

No less important, it is necessary to appreciate the character of the former occupants of the Old House and the part they played in the early history of the country, as well as the spirit which animated them in their devotion to the new Government and its ideals.

At the end of the Revolutionary War when the welcome news was spread abroad that the struggle with the Mother Country had ended in

the emancipation of the Colonies from her dominion, the joyful tidings were soon marred by the realization of the formidable obstacles yet to be overcome. Each colony had a tradition and a history of its own; an individuality, so to speak, which it had no intention of yielding. To understand their feelings it would be necessary to go back to the first settlers who established them and follow their history through their rivalries and political conflicts to the time when it was plainly evident that a new combination was necessary for mutual protection to take the place of the royal Government from which they had separated. Social equality had already begun to manifest itself but had not been clearly defined in a political sense; religious tolerance, or perhaps indifference, characterized the sentiment of the day and religious differences had not for a considerable period disturbed the peace of the Colonies, in either a political or personal sense; in fact, there had succeeded the religious discord of an earlier period in certain quarters, a tendency to free thinking and agnosticism; a disposition to question all authority, whether religious or political. The Mother Country frequently left the Colonists to shift for themselves which developed a spirit of independence to which the frontiersman had already become accustomed.

(a) Kentucky was regarded as a hunting ground by tacit agreement and "reserved from permanent occupation." (Butler's History of Kentucky, Introduction, p. XIII.)

"As late as the peace of Aix La Chapelle in 1784, the Western country of the British Colonies was in the possession of the native tribes, undisturbed by the white man." (Butler's History of Kentucky, Introduction, p. XIII.)

"The exploration of Boone in 1769 and Knox in 1770 were the only ones considered worthy of notice." (Collins' History of Kentucky, Vol. 1, p. 248.)

(b) International Encyclopedia, Vol. 13, p. 182.

(c) Wilson, Vol. 1, p. LXXXIII.

(d) Bancroft, Vol. 6, p. 222.

(e) Bancroft, Vol. 6, p. 380.

(f) Spark's Washington, Vol. 1, p. 408.

It is readily seen that a disposition had developed in the Colonies which invited trouble the moment a narrow-minded despot sought to hold the reins of control over the colonies with too tight a hand. This state of mind, after the successful revolt of the Colonies, intensified by the ordeal of war, threatened to render abortive all attempts to form a National Government and to wreck it after it was formed.

A better idea might be formed of the unsettled state of affairs when it is recalled that as late as 1804 the Burr expedition was organized in this locality giving some anxiety to the authorities. It is doubtful if it ever will be known what was the real object of the venture, but the loose ties of allegiance which held the early settlers to the Federal Government gave occasion in certain quarters to a great deal of uneasiness. The general opinion entertained of the organizer of the expedition by no means helped to allay a feeling of uneasiness. It is significant of the precarious character of the period that Aaron Burr, who organized this expedition missed securing the office of President of the United States by a narrow margin.

In this connection it seemed appropriate to review the dangers that were menacing the newly formed Government of the United States.

There was solicitude concerning suspected British intrigues to alienate from their allegiance the people of Kentucky, who were apprehensive about the free navigation of the Mississippi River. "Affairs in the western country wore an unfavorable aspect. The people of Kentucky were looking with a great deal of solicitude to the result of the pending negotiation respecting the navigation of the Mississippi and it would seem that the British at the North thought that this was a good opportunity to tempt them with secret propositions and to try the strength of their fidelity; and the Spaniards of the South were equally ready to scatter the seed of disaffection and to encourage in the inhabitants of the West a separation from the Federal Government."

The following observations of Washington

indicated the feeling of apprehension that possessed him respecting the future of the Western Country. "There is nothing which binds one country or one state to another but interest. Without this cement the Western inhabitants, who more than probably will be composed in a great degree of foreigners, can have no predilection for us, and a commercial connection is the only tie we can have upon them." (a)

The possibility of a new political division being created that might prove a thorn in the side of the American Government is here clearly set forth. New arrivals from Europe could have no tradition in common with the earlier settlers, and in many cases not even racial ties; but the attachment to the principle of a free Government was not at that time sufficiently realized. The forecast was more gloomy than the facts warranted. The principle of the free representative Government was a leaven that had already begun to work and in time was destined to make its influence felt among peoples and nations where the idea at that time was hardly known.

While powerful European Governments were playing a game of political intrigue, in which at a later period the infant Hercules of the West took a hand, the vast undeveloped territories of the New World being the stakes, an incident occurred, quite as amusing as it was pathetic, which recalled to mind the aborigine despoiled of his birth-right. An explorer by the name of Gist went over the Alleghanies in 1751 on a tour of discovery for the Ohio Company. He met an Indian who said that their great men, The Beaver, and Captain Appamaquish (two chiefs of the Delawares) desired to know where the Indian land lay, for the French claimed all on one side of the Ohio and the English on the other. The savage was considered quite as ser-

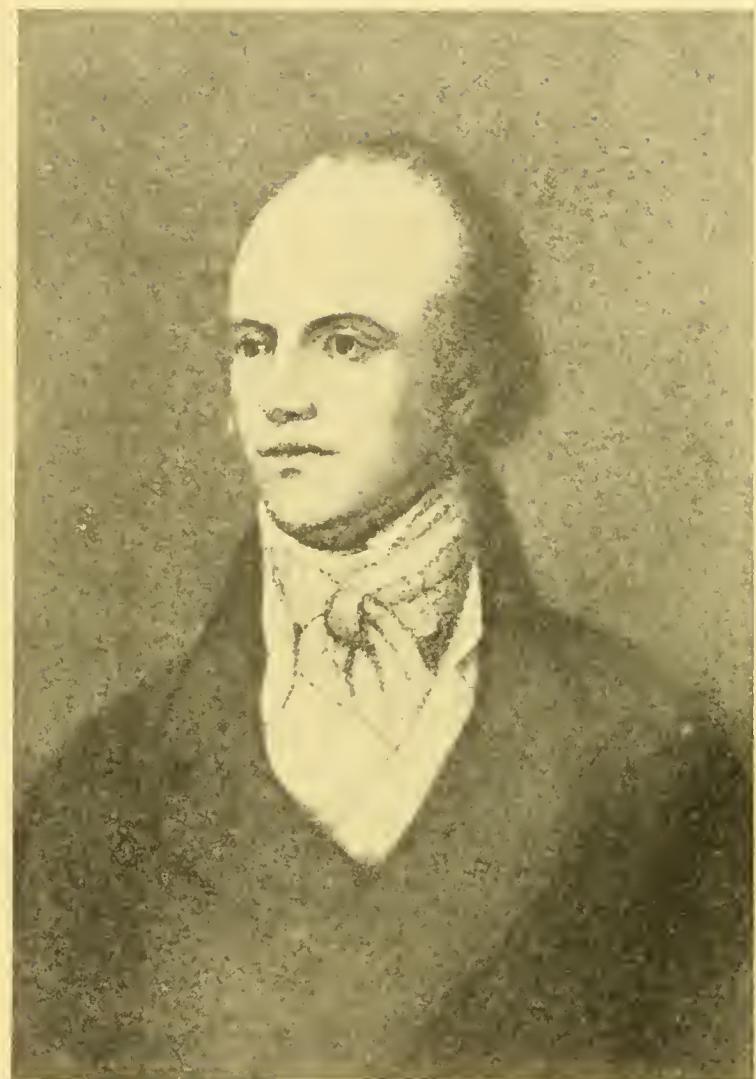
(a) "Stated on good authority that if Kentucky would form an independent commonwealth, it might have special privileges from Spain on the Mississippi River." (Collins History of Kentucky, p. 37.)

Col. Marshall was decided and uncompromising in his opposition to separation. (Collins' History of Kentucky, Vol. 1., p. 269.)
Spark's Washington, Vol. 9, p. 473. See also letter to H. Innes.

See also letter to R. H. Lee relative to commerce on the Mississippi. (Spark's Washington, Vol. 9, p. 119.)



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AARON BURR

iously as some wild beast, disturbed in its lair. (a) The native had an undefined idea of his rights without any conception of legal principles which could reduce them to a certainty and provide a remedy for their violation. To continue his mode of life would necessarily condemn vast areas to the condition of a primeval wilderness so that he might enjoy the pastime of the chase. It would require a despotic authority like that of William the Conqueror, sustained by the power of a feudal state, to perpetuate this state of things against the wishes of a civilized community. (b)

If further evidence is essential to prove the critical conditions that existed in this region, it is sufficient again to refer to Washington's own statement: "The Western States (I speak from my own observations) stand as it were upon a pivot. The touch of a feather would turn them any way. They have looked down upon the Mississippi until the Spaniards, very imprudently, I think, for themselves, threw difficulties in their way." etc. (c)

(a) Neither the French nor the British seemed to regard the paramount rights of the aborigine any further than military policy might dictate. (Butler's History of Kentucky, intro., p. XIX.)

(b) Thierry's Norman Conquest, Vol. 1, p. 307.

(c) Spark's Washington, Vol. 9, p. 63.

(d) This was 1785. Collin's History of Kentucky, Vol. 2, p. 562.

(e) The story would not be complete without giving some idea of the kind of neighbors the frontiersmen had to deal with. The following account given by Dr. Knight of the execution of Colonel Crawford, who, with himself was captured by the Indians, will serve as an illustration. "When we were come to the fire, the Colonel was stripped naked, ordered to sit down by the fire, and they beat him with sticks and their fists. * * * They then tied ropes to the top of a post about fifteen feet high, bound the Colonel's hands behind his back and fastened the rope to the ligature between his wrists. The rope was long enough for him to sit down or walk around the post once or twice and return the same way. The Colonel then called to Girty and asked if they intended to burn him. Girty answered "Yes." The Colonel said he would take it all patiently. Upon this, Captain Pipe, a Delaware Chief, made a speech to the Indians. * * * When the speech was finished they all yelled a hideous, and hearty assent to what had been said. The Indians then took up their guns and shot powder into the Colonel's body, from his feet as far up as his neck, * * * They then crowded about him and to the best of my observation, cut off his ears, &c. The fire was about six or seven yards from the post to which the Colonel was tied; it was made of small hickory poles, burnt quite thru in the middle, each end of the poles remaining about six feet in length. Three or four Indians by turns would take up

It is not difficult to understand why rivers and navigable waters were the favorite means of traveling in the old pioneer days; the scarcity of roads of any kind, the dangers and privations of the wilderness were serious obstacles. During this period flat-bottom boats were employed on the Ohio River to carry passengers and freight. Wheeling, West Virginia, was often chosen as a point of embarkation. Precaution had to be taken to guard against shots fired by an enemy from the river banks. For this purpose the sides were constructed sufficiently high and solid to serve as a protection against injury.

Capt. Thomas Marshall made use of this means of transportation going West. Before taking his departure, he was warned by a brother of Simon Girty, the notorious out-law and renegade, against a stratagem the Indians were likely to make use of. (d) White captives were sometimes sent to the river banks to implore help. If the unsuspecting crew drew sufficiently near the shore where the savages were lying in ambush, they were in danger of a murderous attack. (e)

individually one of these burning pieces of wood and apply it to his naked body, already burned black with powder. These tormentors presented themselves on every side of him so that every way he ran around the post they met him with the burning fagots and poles so that in a short time he had nothing but coals of fire and hot ashes to walk upon.

Colonel Crawford, at this period of his sufferings, besought the Almighty to have mercy on his soul and spoke very low and bore his torments with the most manly fortitude. He continued in all the extremities of pain for one hour and three-quarters longer, as near as I can judge, when at last being almost spent, he lay down on his belly; they then scalped him, and repeatedly threw the scalp in my face telling me "that was my great Captain." Incidents of Border Life, p. 134.

This presents the terrible side of the Indian character. It is only fair to state that on a former occasion when a hostile move was contemplated against the savages, Colonel Crawford is said to have made the declaration that "no Indian was to be spared, friend or foe; every redman must die." (J. M. Browne's Oration, Centennial Battle Blue Licks, p. 12.) On the border of civilization where there could be no orderly administration of justice, the savage of the stone age gratified his love of revenge without restraint. With few exceptions the only change that had been wrought in his condition, since the time of LaSalle, who was the first white man to traverse the country from the Lakes to the Gulf, was the substitution of the rifle, the steel tomahawk and the scalping knife in place of the crude implements he formerly used. Instances might be given to show the better side of his nature, but one could never be certain whether he was to deal with Dr. Jeckel or Mr. Hyde.

The warning was given Capt. Thomas Marshall in requittal of an act of kindness which he performed for Simon Girty on a previous occasion. During the French and Indian War an English officer for some reason was going to have Girty flogged but through Capt. Marshall's interference the punishment was not inflicted. Girty remembered the friendly act and adopted this means of returning the favor. Altho Girty abandoned the association of his own people and cast his lot among the savages, he proved that he had one of the good qualities of the Indian of remembering an act of kindness even though he became more cruel and bloodthirsty in gratifying his revenge.

The journey to Maysville or some place near that locality where Capt. Marshall landed his party was made without mishap. It was by no means a pleasure excursion. A fusilade of bullets indented the boat. The trunk of a tree served as a guide for the rudder, which rising above the elevated sides of the flat-bottom boat afforded considerable protection. This position of danger was taken by Capt. Marshall and he was very careful to keep the trunk between himself and the flying bullets, which proved a wise precaution. It was discovered afterwards that the trunk was riddled with bullets. (a)

In addition to the dangers mentioned, foreign agents were busy stirring up trouble amongst the native population who were none too steadfast in their allegiance to the new National Government.

Organizations known as "Democratic Societies" which had been recently created were in close sympathy with the Jacobin Clubs of France. Washington considered that these societies which were patronized by Genet, were for the purpose of drawing a line between the People and the Government. (b)

It is credibly stated that upon his arrival he planned an expedition against the Floridas and another against Louisiana, the latter to be carried on from the western part of the United States. It was reported on good authority that the principal officers were engaged for the futherance of this project. "The Temper of the

people inhabiting the western country was such as to furnish some grounds for apprehension that the restraints, which the executive was capable of imposing, would be found too feeble to prevent the execution of the plan." (c) "*The Governor of Kentucky was requested to co-operate to frustrate this improper application of the military resources of the state.*" (d)

"It would have been difficult to find a part of the United States in which anti-federal passions blazed more fiercely than in Kentucky. The French emissaries found their project received with the warmest favor." (e)

The authority of the Federal Government rested upon such a flimsy foundation that attempts were made to ignore its existence, both through domestic disaffection and unscrupulous foreign agents. The Whiskey Rebellion in Pennsylvania in opposition to collecting the excise tax and the discontent in Kentucky and elsewhere for a similar reason manifested the lawless spirit that arose in opposition to the exercise of Federal authority. When open rebellion against the enforcement of the law had subsided the illicit manufacture of spirits under conditions of secrecy had enriched their vocabulary with the descriptive expression of "Moonshine." This industry has been attended with violence and lawlessness from its inception and many a grawsome tragedy has served to keep alive its unsavory tradition.

The imposition of a tariff to supply the

- (a) Concerning firing on Boats, see N. J. Historical Society, Vol. 4, p. 114.
- (b) Spark's Washington, Vol. 10, p. 438.
There was a considerable element of the American people who were consistent in their friendship for France. This attachment dated back to the days when the French Monarchy sent its fleet and army to battle for American independence. This friendship abated none of its constancy to France thru all of her kaleidoscopic changes.
- (c) "Two circumstances occurred which tended to create unfavorable impressions in Kentucky toward the Government of the Union. One was the utter inability of Congress to protect them from the Northwestern tribes by compelling the surrender of the posts or otherwise; the other was the tendency of Congress to surrender the rights to navigate the Mississippi to the Ocean." (Collins History, Vol. 1, p. 261.)
- (d) Marshall's Washington, Vol. 5, p. 435.
Collins' History of Kentucky, Vol. 3, p. 277..
- (e) Collins' History of Kentucky, Vol. 2, p. 48.



TORTURE OF COLONEL CRAWFORD BY THE INDIANS



CAPTAIN THOMAS MARSHALL IN A FIGHT IN A FLAT-BOTTOM BOAT

Government with means to operate was a skillful device which made it possible to hold the reins of government without those subject to its authority being too conscious of the fact and becoming restive under the curb.

When Cornwallis struck his colors at Yorktown the difficulties that stood in the way of forming a new Government destined to take its place among the Nations of the Earth were by no means overcome. In fact, the very act of removing the common danger which the war with the Mother Country created seemed to operate as a dissolvent of the enforced unity of the several colonies. The occasion of unity did not arise from within except so far as mutual resentment against outside interference with domestic concerns might be so considered.

The travail of the long struggle with the Mother Country had brought into existence a new Nation, but it was doubtful whether it was not a still birth. *No National life or spirit seemed to animate the masses and the antagonistic colonies.* The love of independence might easily be carried to an extreme. The bonds which hold one in subjection to civil authority were weakened when the Colonies were established in the New World. The life of the frontier, where frequently the pioneer had to depend upon his own resourcefulness, and occasionally the provincial Government, tended to wean him from the Mother Country. The same spirit served to make the people of the Colonies averse to sacrificing any part of their independence even though necessary for the formation of a National Government strong enough to preserve what had been acquired through so great a sacrifice.

At this time Great Britain still retained possession of a number of frontier posts south of the Great Lakes and it was generally believed that they were responsible for the uncompromising attitudes of the natives. (a)

Washington appeared distrustful of the designs of our European neighbors. In a letter to Thomas Jefferson he writes: "If Spain is really intriguing with the Southern Indians I shall en-

tertain strong suspicions that there is a very clear understanding in all this business between the courts of London and Madrid and that it is calculated to check, as far as they can, the rapid increase, extension and consequence of this country." (b)

It was quite manifest that Great Britain and Spain were planning mischief while the French Republic sought to drag the nation into the vortex of a European conflagration which made an armed camp of the principal nations of Europe. The aborigine, wedded to his savage life was almost compelled by the law of necessity to continue a struggle which could only end in his extermination or conquest. The national government at this period was considered almost as a foreign government by many of its citizens, and the wholesome and necessary exercise of its authority was seriously challenged by some who stood in positions of grave responsibility. (c)

The relations of the new national government to the Indians involved complications. The changes that had taken place might well confuse the simple mind of the savage. After a long rivalry between France and England he witnessed the breaking out of the French and Indian war when most of the Indian tribes allied themselves with France; then followed English occupation of Canada; afterwards the revolt of the English colonies from the mother country when the colonies and France were at war with England. The Indians instinctively sided with England against the Colonies perceiving that the American government threatened them with more immediate disaster. Notwithstanding this they still retained their love for their old allies,

(a) Marshall's Washington, Vol. 5, p. 642.

(b) Spark's Washington, Vol. 10, p. 280.

Lord Dorchester does not appear in the role of a peace maker in delivering a speech to the Grand Council of the Miami's, 1793, when he states that a war between Great Britain and the United States was likely and that a "line between the two Nations must be drawn with the sword." Such observations were calculated to excite trouble. It was like throwing a firebrand into a magazine filled with explosives.

(c) Efforts made by General H. Lee to obtain a continental force of 700 or even 300 to protect the western frontier were opposed lest it confer **too much power on the Federal Government.** Collins' History of Kentucky, Vol. 1, p. 33.

the French. Colonel Clark, who was so active in reducing the redmen to order also appreciated the importance of obtaining the co-operation of the French inhabitants in the newly acquired territory. Through the latter the Indians were told that "their old father, the King of France, was come to life again and was mad with them for fighting with the English; that if they did not wish the land to be bloody with war, they must make peace with the Americans." (a)

Peace was finally concluded with the Indians. "The various parties were assembled, white and red; the Chief who was to open the Council, advanced to the table at which Col. Clark was sitting, "with the belt of peace," in his hand, another with the sacred pipe, and a third with the fire to kindle it. After the fire was lighted it was presented to the heavens, then to the earth and completing a circle was presented to all the spirits, invoking them to witness what was about to be done. The pipe was presented to Col. Clark and afterwards to every person present." When these formalities were finished the speaker addressed himself to the Indians as follows: "Warriors, you ought to be thankful that the Great Spirit has taken pity on you, has cleared the sky and opened your ears and hearts, so that you may hear the truth and we hope that, as the Great Spirit has brought us together for good, as he is good, so we may be received as friends and peace may take the place of the bloody belt." The speaker then threw in the middle of the room the bloody belt of wampum and flags which they had received from the British and stamped upon them in token of rejection. Afterwards Col. Clark made his reply; then the pipe was again kindled and presented to all the spirits as witnesses." (b) It was smoked and the Council was concluded by shaking hands.

The Western Country along the Ohio and Mississippi appeared to be the storm centre (c) where a post of observation had to be maintained to guard against the intrigues of Great Britain on the North and the designs of Spain in the South and West, seeking to control the natural outlet of a large part of the commerce of the United States by the Mississippi River.

The Northern and Southern Indians who had been accustomed from an early period to invading the state in pursuit of game or for war-like purposes created another element of disturbance. There was a great deal of disaffection among the white population of the state and a considerable portion of it was suitable material for designing and intriguing mischief-makers.

It is quite clear that the situation required the presence of a clear-headed and dominating personality to confirm the wavering in their allegiance and guard against the dangers along the frontier.

The stars of our political firmament were still nebulous and unformed and the Nation had not yet become an "Indestructible Union of Indestructible States."

In support of this supposition, it is well known by the student of American History that during the early days of the Republic only the feeblest tie held the citizen in his allegiance to the Federal Government. The Colony, and afterward the State seemed to engage his affection and appeal to his loyalty. It must be borne in mind that the supremacy of the Federal Government and the indissolubility of the Union was only finally settled by the Civil War. In fact, at this period the Federal Government was regarded with suspicion and at times with distrust. To explain this more fully a brief review of the events of that period might suffice. Before Kentucky became a state nine constitutional conventions were held, 1784-1790, demanding a separation from Virginia. (d)

The State of Virginia consented on condition that Kentucky would be admitted as a State in the Federal Union. Afterwards there was a strong sentiment manifested in favor of a separation from the Federal Government due in a great

(a) Butler's History of Kentucky, p. 63.

(b) Butler's History of Kentucky, p. 71.

(c) Kentucky lies topographically in the center of the grouping of states." Collins' History, Vol. 1, p. 335.

(d) General Wilkinson formed the Kentucky secession movement and declared his intention of becoming the "Washington of the West." Bey, Mar. Vol. 3, p. 284. General Wilkinson said "Spain might concede to Kentucky alone what she would not to the United States." (Collins' History of Kentucky, Vol. 1, p. 270.)



Doolittle & Munson Sc

CEN. GEORGE ROGERS CLARK.



COLONEL CLARK MAKING A TREATY OF PEACE WITH THE INDIANS

measure to the Jay Treaty with Spain which deeded to that Nation the rights of navigation on the Mississippi River for twenty-five years. The supposition was advanced that most of the settlers were loyal and that this means was employed to bring pressure to bear upon the Federal Government. Resolutions were drawn up in 1798 by Thomas Jefferson condemning the Alien and Sedition Laws as being extra-constitutional. (a) This meant practically an assertion of state sovereignty, equal if not superior to the National authority. The Supreme Court of the United States was not even considered as the proper authority to pass on the question. It affords matter for serious consideration when one recalls that Thomas Jefferson, who afterwards became president of the United States, was the author of these resolutions.

The following quotation at a considerably later period is interesting reading for the present generation: "The Federal Government is in truth our foreign Government, which department alone is taken from the departure of the several states." (b) We pass to a later period to search for responsibility for the nullification and secession doctrines, but who can say how far declarations of this character were the real cause of crystallizing sentiment in opposition to the Government?

There was one central idea around which all the Colonists rallied, *the principle of local self-government*. This principle furnished a basis of union against the Mother Country when the attempt was made to govern the colonies without giving them representation, and against their consent. This principle carried to an extreme greatly embarrassed the work of creating a National Government.

An external danger imperfectly furnished a common basis for union and co-operation but when this was removed the victory threatened a disaster almost as great as defeat. The success of Washington in the field, the statesmanship of Hamilton, and the long and powerful efforts of Marshall upon the bench to impart vitality to the constitution of the United States, barely sufficed to hold the Union intact until

the "inevitable conflict" broke out, and the Nation was finally established upon a permanent basis. (c)

The Continental Congress was only a league representing the several colonies; the Articles of Confederation, while an improvement upon what might be described as an "Entente" between the Colonies was little better than "a rope of sand" except so far as it was an earnest of more than complete accord and harmony of action.

It seems likely that the secession movement at a later period was only the reanimation of the old disunion feeling which almost prevented the formation of a National Government. One might look in vain in the debates between the statesmen on the question of the relation of the state to the Federal Government for the explanation of the division of public sentiment. It antedates the foundation of the National Government; the attachment to the state as distinct from the National Government was inherited from the old Colonial system, and when new states were formed, they were considered by many as the creations of a confederacy, not of a National Government. This view has no bearings upon the subject of how the Constitution should be considered or construed as a legal document. The statesmen who framed it had their own views respecting what it meant, and it is certain, they were seriously divided on the subject. The debates undoubtedly furnished up to date arguments, but the sentiment of loyalty to the State as distinct from the National Government, had its origin in the colonial period, the final adoption of the Constitution of the United States, after considerable delay and with

- (a) Kentucky resolutions declared "that the Constitution of the United States is a compact between the several states, as states; each sovereign state being an integral part to the compact. That as in other compacts between equal sovereigns, who have no judge, each party has a right to interpret the compact for itself, and is bound by no interpretation but its own. That the general government has no final right in any of its branches to interpret the extent of its own powers." (Col. Vol. 1, p. 285 by Jefferson.)
- (b) Jefferson's Letter to Robert Garnet, February 12, 1826, Henry Adams, Vol. 1, p. 216.
- (c) As late as 1804 there was a strong **Federalist** sentiment in favor of secession. (Bev. Mar. Vol. 3, p. 26.)

the greatest reluctance, affording no great assurance that the sections out of which a National Government was to be formed had really become fused into a national unit; a national public sentiment had not as yet been created or developed. Even at the late period of the crisis which brought on a Civil War the habit was greatly prevalent of looking to the state as the final source of authority, and many, if not the majority of the people, during that conflict were decided by the action of their native states. The most notable instance was that of General Robert E. Lee who refused the command of the Federal Army and followed the action of his state, although personally opposed to secession.

The present generation, educated in a different social and political atmosphere, are unable readily to appreciate the weakness of the sentiment of nationality during the early days of the Republic. This state of mind transmitted to a later period influenced the secession movement which brought on the Civil War. Perhaps this mental attitude on the part of a large portion of the public had more to do with the final outcome of the controversy between the sections than the arguments or theories of John C. Calhoun and other statesmen of that school. Altho the individual is apt to suppose that he acts on his own initiative, it would probably surprise him to learn that he is to a large extent merely a creature of circumstances which have moulded him.

The population of the United States at the close of the American Revolution was well under four million inhabitants spread over an area that extended from the St. Lawrence and the Lakes to Florida, and west to the Mississippi River, already an immense empire, altho occupying less than half of its present area. The means of communication were of the most primitive character and consequently hindered to a great extent that social intercourse which tends to create a National public opinion. The press, that powerful agency for giving expression to public sentiment and creating it, possessed a very feeble and uncertain existence. Illiteracy was quite prevalent throughout most of the country and the difficulty of reaching a public

so scattered and almost inaccessible still further curtailed the influence of the press. The great bulk of the population lay east of the Alleghanies and along the navigable water courses which provided natural means of communication and intercourse. (a)

The development of the modern agencies of communication were in those days unknown; it was before the days of railroads, steamboats, automobiles, telephones and telegraphy, which are now so potent in facilitating the interchange of ideas.

If one bears in mind the foregoing facts it may be possible to imagine the conditions that existed when Col. Thomas Marshall exiled himself and several members of his family from his native state of Virginia and sought a new domicile in the Kentucky wilderness.

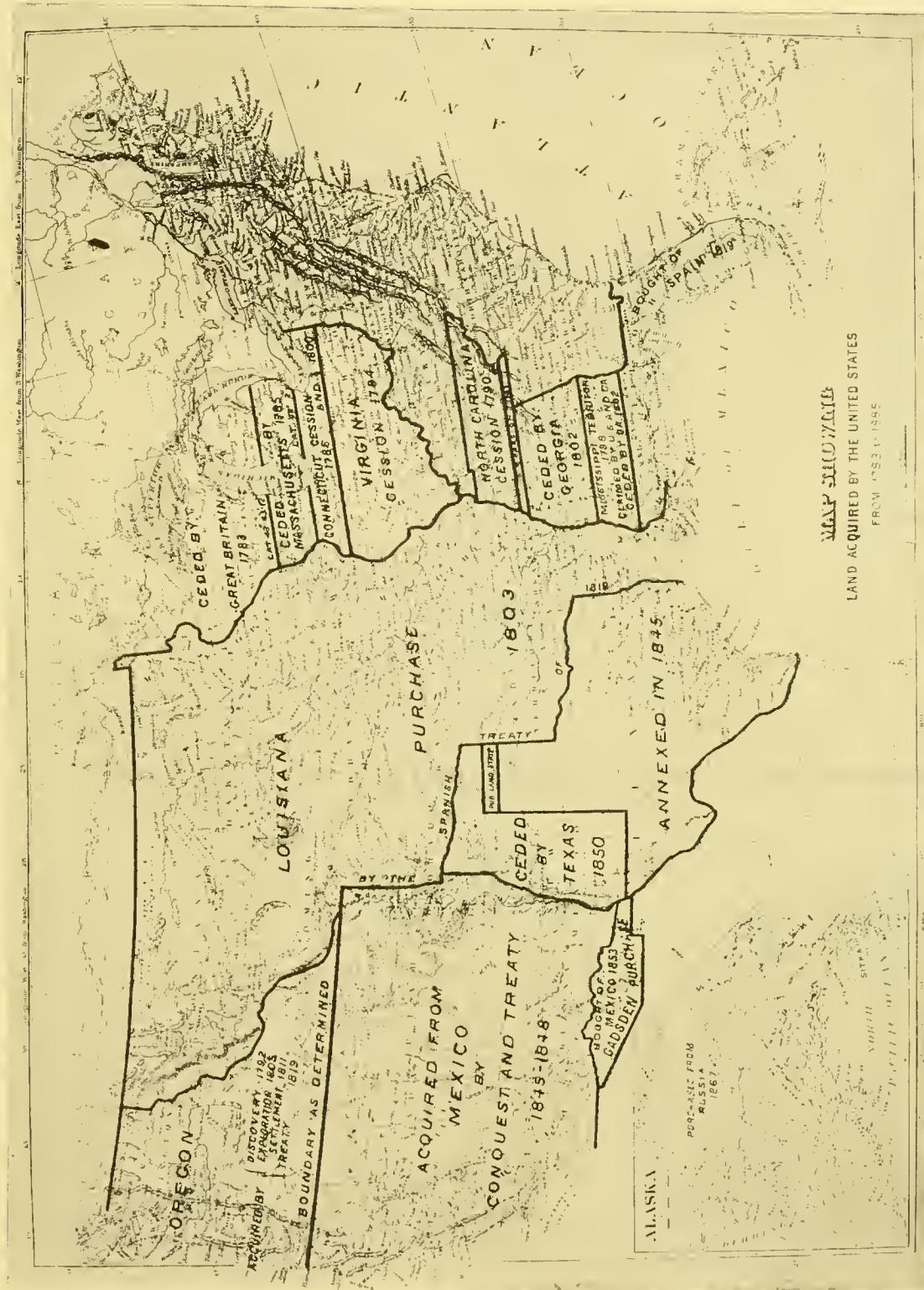
The region west of the Alleghanies in those days was hardly effected by the tide of immigration which had been confined chiefly to the Atlantic sea-board. It was still practically the wilderness of the savage and the trapper; a few hardy spirits formed the pioneer class living on the outskirts of civilization, and established a fringe of settlements in this region.

It appeared that at this period Kentucky was the center of disaffection in the western country. It was quite evident that a careful supervision was required in that locality. Col. Thomas Marshall seemed to be the man the situation especially demanded.

In this connection it is well to consider what inflammable material was ready for the purpose of a designing schemer. The weakly assembled parts of the Federal Government and the slender tie that held them together made them a tempting prey for political intrigue. Taking advantage of this state of affairs Genet, the French Minister, (as heretofore indicated) sought to embroil the United States in a European War almost in defiance of the Federal authority. (b)

(a) Smith's Wealth of Nations, p. 26.

(b) It would have been difficult to find a part of the United States in which anti-federal passions blazed more fiercely than in Kentucky. The French emissaries found their mission received the utmost favor. (Collins' History of Kentucky, p. 48.)



Summing up the situation, then, we find that Kentucky was the center of all the disturbing elements that threatened the solidity, if not the very life of the new Republic. Spain and afterwards France were disposed to impose conditions for the privilege of using the Mississippi River; England found a pretext for retaining the posts on the Lakes; the savage viewed with well grounded apprehensions the growth of the new government and the settlement and occupation of Kentucky was the first formidable advance of civilization across the Alleghanies and was a rude thrust into a veritable hornet's nest of savages; the independence of its pioneer population verging to lawlessness could hardly brook the assertion of this strange national authority though imposed ever so gently; and finally, to crown all these hardships and trials, influential public men sought to undermine the Federal authority which might have been reasonably considered more a phantom than a reality.

When all these sinister tendencies are considered and that in Kentucky they reached their most acute state, it is easy to understand what must have inspired the migration of Col. Marshall to that region and from what source came that inspiration. The thought turns our attention to the man who for nearly eight years

(a) We have certain pertinent facts before us, but the actual truth will never be known. The clear perception of Washington grasped the situation; he was fully aware of the dangers to the new government from disorganizing tendencies. He must have known and appreciated the character of Col. Marshall and have relied upon him to exercise a vigilant supervision in that important section.

During the early days in Virginia, Beveridge says, "Thomas Marshall always acted with

bore the burdens of a struggle checkered with many reverses and at its conclusion might well have his misgivings whether the victor's wreath was not a crown of thorns.

Col. Marshall, when he emigrated to Kentucky, being fifty-three years of age, was past the time of life when youthful ardor and love of adventure would be likely to cause him to turn his back upon a life of ease and comfort, which must have been to him a welcome relief after his strenuous experience during the Revolutionary War. It was of the utmost importance, however, to establish a post of observation during this unsettled period in a section which more than any other seemed to concentrate the disaffection so rife in the Republic; someone was required with sufficient influence to curb the lawless spirits who are apt to mistake license and insubordination for the proper exercise of their liberties. The backwoodsman and Indian fighter were bold, open-hearted and adventurous, but they might easily become pliable material in the hands of a plausible and designing man. (a)

A candid review of the foregoing statement of facts would therefore corroborate the tradition that policy and patriotic motives more than personal interest inspired Col. Marshall with the idea of forming a settlement in Kentucky.

Washington." This tends to show how close were their relations. (Rev. Marshall, Vol. 1, p. 64-note.)

Colonel Marshall had also served under Washington during the Revolutionary War.

"In his boyhood, Colonel Marshall is said to have attended with George Washington the school of Rev. Archibald Campbell, Rector of Washington Parish. He also accompanied Washington in his surveying excursions for Lord Fairfax," &c. (The Marshall Family, by Wm. M. Paxton.)

A Few Reflections

JT is hard to conceive at the present time of the obstacles that stood in the way of the statesman who undertook the work of construction at the end of the American Revolution. The common danger having been removed, it remained to be seen what internal tendencies might operate to draw the colonies together.

The first settlers, restless under political and religious restraints, sought in the New World a freedom denied them on their native soil. Their influence was considerable in shaping the early life of the colonies but subsequent migrations were of a different character and greatly modified social conditions.

A virgin country where a totally new en-

vironment gave scope to the development of free thought, produced a population quite dissimilar to the Mother Country and likewise jealous of their rights and independence as separate colonies.

Account must also be taken of the new liberalizing spirit of the age which made its effect felt in the Old World as well as the New. This spirit tended to question all sources of authority and was the fore-runner of the conception that government should be based upon the consent of the governed. The soil of America where the colonists had become accustomed to depending upon themselves in so many ways was congenial to the development of this theory. It was a logical sequence to the overthrow of the divine rights of kings, but it still left the question open respecting the source and center of political authority. Evidently the people were compelled to assume this responsibility.

It was easier to unite the Colonies for a common defense, imperfect as that Union manifested itself, than to establish a Government which embodied the principle of permanent authority. To subject the public will to self-imposed limitations in adopting a Constitution easily led to misconceptions respecting the necessity for such a limitation. Yielding to the natural tendency for considering the British form of Government as its pattern excepting in respect to certain changes that had already been determined, it became necessary to give the United States Constitution a character that made it radically different. A conservative sentiment which would preserve inviolate time-honored traditions had not yet been developed. It was obvious that constitutional safeguards must be rendered secure against a capricious popular sentiment. At a later period the decisions of Chief Justice Marshall pointed the way to establishing the United States Supreme Court as its true guardian. It was true that Great Britain had a Constitution, but Parliament was the sole judge respecting its limitations and upon the judgement of Parliament the electorate could finally decide. The necessity for imposing rules upon oneself is not readily

perceived by most people; especially is this the case among those who are accustomed to taking the law in their own hands. It is significant that even the Almighty exercises His Will thru established laws. It is undoubtedly true that the greatest progress has been made in government when settled rules have been substituted for the exercise of capricious will power.

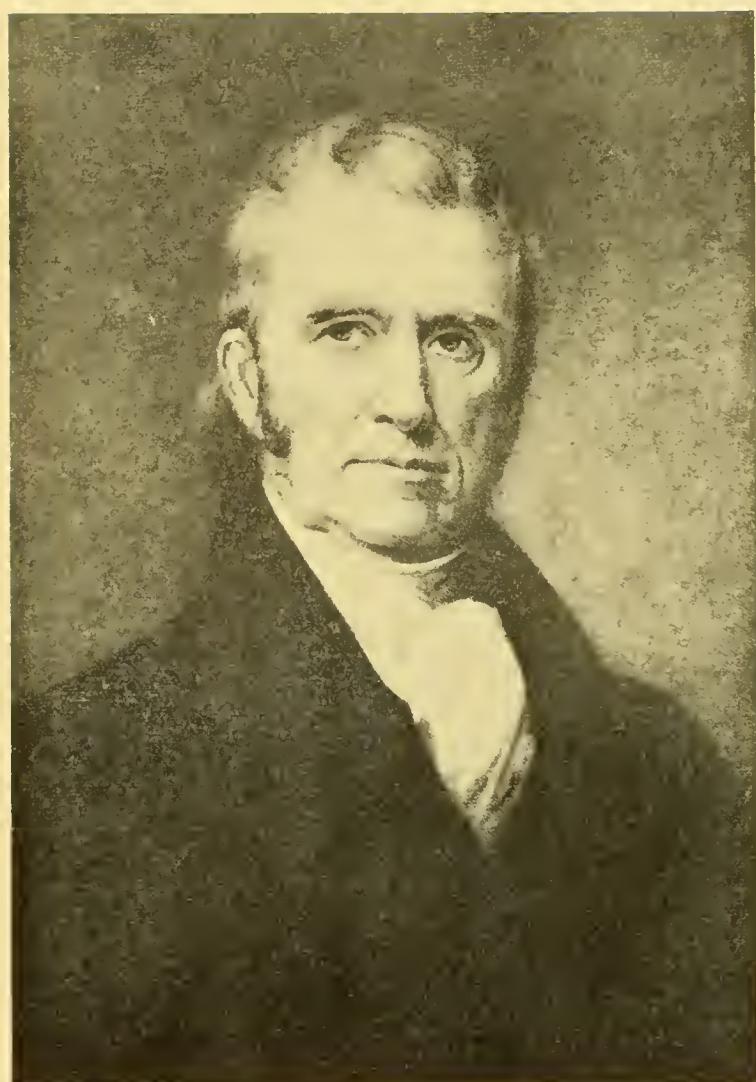
The spirit which arose in opposition to governmental authority exercised in disregard of public sentiment was tempted to lawlessness and defiance of all authority. (a) Instances of this evil tendency were frequent in the Colonies, and even to a far greater extent in France at that time, whose autocratic government was overturned by a popular uprising shortly after the American Revolution. Its successive revolutionary governments wanting in stability, seemed to rest upon quicksand.

Perhaps the worst besetting sin of a popular government is disregard of legal authority. The expression of "dead-letter laws" has passed into a by-word and is a symptom of this malady.

Popular self-government has been tried in early times, under very different conditions. The experiments attempted in Greece and Rome were soon abandoned when their authority was extended over a great extent of territory and over alien peoples. With the increase of wealth, the corruption of the franchise rapidly undermined the free expression of the popular will, while the vast alien population within the government proved a menace to the small number who exercised it.

Before the establishment of the government of the United States, a subject or citizen entered into that condition by virtue of birth. It was a condition created by the operation of a natural law and not by the act of the individual. The necessity of readily absorbing the ever increasing population largely made up of foreign immigration resulted in devising a plan for naturalization. This made considerable addition to the number of citizens of foreign birth. The development of this policy essentially mod-

(a) See Bev. Marshall, Vol. 1, p. 275.



JOHN MARSHALL, CHIEF JUSTICE

ifies the conception of allegiance; it implies the right of the native born to change his allegiance and is a direct denial of the contention that it is an unalterable condition of birth. It gave expression to an advanced idea that *attachment to a principle of government took precedence of natural allegiance.*

The liberal policy pursued by the United States in admitting to citizenship people of foreign origin evaded the danger of having a large alien population within its borders bound by no ties of allegiance. With the gradual weakening of racial prejudice and the development of class antagonism, which did not confine itself to any country, but rapidly extended thruout a great part of Europe as well as in the United States, civilization was entering upon a new phase.

In what way was the United States related to this change? Is it conceivable that establishing a government based upon self-determination, already timidly manifesting itself in the Old World, could of itself give such a vigorous impulse to the advancement of popular government. It would certainly be rash to claim that organizing such a Government in the New World was sufficient of itself to bring about the great social upheavals that almost immediately followed in Europe and within a decade led to the establishment of Republics to the south in Spanish America. The spirit to effect such a change had to some degree already manifested itself. But the example of such a government being already established, produced a tremendous impression and gave more definite direction to the yearning for a new order of things where the popular will might find expression.

Now when authority, based upon hereditary principle, had been overthrown and a new basis of government was sought, the difficulty of creating a legal mechanism thru which the popular will might function presented itself. The conservatism that still tenaciously held to the colonial government had to be respected while making effective the principle of popular government. The result was about what might have been expected, declarations of broad and general principles embodying the most advanced

ideas in government and a complicated system of checks and balances in distributing the powers of government between the state and National Governments.

It is doubtful whether the people of the several states had a clear conception of the scheme devised to furnish them with a new government. Two ideas were clearly defined; it meant the destruction of the hereditary principle in government and a closer union of mutual protection.

Obedience to laws imposed by an hereditary authority so long as the public conscience feels it a duty to respect that authority can be readily understood, but the duty to respect laws and authority self-imposed might easily lead to confusion in the minds of many. *It might impress them more as a question of expediency than a civic duty.* The will of the majority is a vague and undefined sovereignty which is not likely to impress the imagination. Too often that majority is obtained thru the default of an awakened public sentiment to assert itself. Experience of the present day rather tends to indicate lax obedience and disrespect for official authority. It is instructive to study the practical working out of this principle in the United States at the present time. Colossal corporations, formerly of capital and afterward of labor, have appeared to overshadow the majesty of the law. The means provided by government for the redress of grievances are too frequently regarded with suspicion even tho emanating from the popular will. The tendency of society to break up into classes and the classes into groups, having special interests, is plain to the most casual observer. The result is the formation of organizations to promote the welfare of special interests. This tendency is natural and, kept within reasonable bounds, serves useful purposes, but the temptation to abuse the possession of power is often too great to be resisted.

The autocratic demands of labor leaders within a recent period have not infrequently prostrated the business and the transportation systems of the country; not satisfied with interfering with the enforcement of the law to pro-

tect the rights of the community, they have not stopped short of overawing the officials in charge of the Government and compelled the enactment of the so-called Adamson law. This law was not enacted in compliance with a popular demand, but under compulsion. It was the summit to which labor autocracy has yet attained and marks the crowning official humiliation of our representatives in authority. The national crisis when the government became involved in the World War afforded an opportunity to exact demands favorable to certain organized groups from which the great mass of the people could derive no benefit. These instances indicate the danger to which a popular form of government is exposed; the corrective remedy seems to be in an enlightened public opinion and in electing to public office servants with sufficient courage to maintain the ascendancy of the law, and protect the public welfare against the assaults of an organized self-centered minority.

Popular control in Government, means that social tendencies shall have free scope to develop. It is undoubtedly true that a definite policy can be conceived and carried out better under a strong autocratic government; it has more certainty of purpose. It may be questioned whether the ship of state does not drift with too little guidance under the former, and whether under the latter failure to appreciate the signs of the times may not lead frequently to wanton and useless obstruction of necessary social changes. It may be that the attempt to attain perfection in the art of government or in creating the mechanism to that end is visionary, but assuming that popular control which is bound to have its day is the best, what are the chances of its submitting to capable and conservative leadership? The question is easily asked, but how will it be answered?

The political organism bears an analogy to the body, being subject to certain physical laws, which have to be recognized. Social tendencies are no less insistent, whether they manifest themselves as a disease that must run its course, or as a wholesome change that will advance the well being of society by its acceptance.

It is not at all unlikely that society in the long run will fare better under a form of government, which reflects its moods, tho sometimes wrong, than under the wisest statesmanship, (if that can be found,) which may occasionally oppose the social tendencies that must be worked out by actual experiment.

The advent of the American Republic betokened the dawn of a new era, destructive of the hereditary principle in government and fixing official responsibility. The hope of the future lies in the successful working out of this theory which at first was regarded as an experiment, but which has now well passed beyond that stage, yet stands in need of greater improvement.

* * * *

The foregoing narrative deals mainly with political conditions explaining the purpose Col. Marshall had in view in migrating to Kentucky and establishing there his headquarters and post of observation. The following, however, seems worthy of being recorded:

An adventure of Col. Thomas Marshall during the early days of his sojourn at the Old House has been preserved by tradition. It is related that riding home one evening, he became aware that he was being pursued by a band of Indians.

He acted as tho he suspected nothing. Being faintly visible in the twilight he rode his horse under the shade of some trees whose dense foliage served as a screen to hide him from view. He then quickly dismounted and giving the horse a smarting cut with the whip, hid among the bushes at the road-side. The excited animal immediately started off at full speed and true to its instincts directed its course toward home.

The Indians having discovered that their presence was known, but believing that the rider was still on the horse, started off in pursuit. When the savages, like so many spectres, had vanished in the darkness and the clattering hoofs of the terrified horse were heard no longer, Col. Marshall made his way to Maysville, or Limestone, as it was formerly called, where he soon collected a party of hardy backwoodsmen to go to the rescue of his family, whom he had reason to believe would require help.



MR. MARTIN MARSHALL
FORMER RESIDENT OF THE "OLD HOUSE ON THE HILL"



LITTLE "LOUIS MARSHALL"
FIFTH GENERATION FROM COLONEL THOMAS MARSHALL
BORN IN THE "OLD HOUSE ON THE HILL"

Being continually exposed to the danger of sudden attacks, the frontiersman was trained to quick thinking and prompt action. Col. Marshall rightly conjectured that the horse would run home. He was not deceived in his calculation. Mrs. Marshall, when she saw the riderless horse knew that there was danger near at hand. There was no time to speculate respecting the fate of her husband. His remains might be lying somewhere tomahawked and scalped, or he might be in a life and death grapple with his treacherous foe. It was the time for decision and quick action. The house was put in a state of defense. Scarcely were the doors and windows barricaded (*a*) than the savages arrived and surrounded the house. The attack was continued for quite a while against its resolute defenders until Col. Marshall and his party arrived and routed the savages, who were in the act of setting fire to the house.

An incident of the Old House at a later period of its history may be of interest. It is well known that Kentucky was quite equally balanced in its sympathies between the North and South during the crises of the Civil War. One acquainted with the state's history recalls the patriotic service rendered by Martin P. Marshall, the adopted son of Chief Justice Marshall, in keeping the state from straying out of the fold. There should be added to the Roll of Honor on account of their support of the Union cause the names of Hon. James K. Speed, Attorney-General in President Lincoln's cabinet, and Benjamin A. Bristow, afterward Postmaster-General in President Grant's cabinet, and Kemp Goodloe, a prominent lawyer of Louisville. (*b*)

The language used by Washington at an early period about the western country, represented principally by Kentucky, would have been quite as applicable at the commencement of the Civil War: "Standing as it were upon a pivot, the touch of a feather would turn it either way." (*c*)

In the year 1874, as nearly as can be ascertained, Hon. Martin Marshall received a visit from his loyal Union compatriots above

mentioned, whose services were so decisive in keeping the state loyal to the Federal Government. These gentlemen journeyed by boat from Louisville to Maysville, where they were met by the conveyance of Mr. Marshall and driven to the "Old House on the Hill." It would hardly seem a mere accident that such a place was selected as a rendezvous for these loyal souls. Tradition has not preserved a detailed account of the conversation among them, but it is creditably reported that it was replete with anecdotes and reminiscences about the "Old House on the Hill" and the part it played in the National life when the Federal Government was being formed and its discordant elements were being knitted together. Still true to its traditions there survived the spirit that would preserve what had been created.

When the hour of parting drew near all realized that it was for the last time. It is not necessary to intrude into the affecting farewell that was taken of the old place and of each other.

When the walls of the "Old House on the Hill" rose above their foundations, the pioneer dressed in "homespun" clothes or skins of wild animals, and the savages were the only inhabitants of Kentucky. The region west of the Alleghanies was practically an unbroken wilderness. Great herds of buffalo, elk, deer and other wild animals, also feathered game which came in immense flocks that darkened the sky, supplied in abundance the needs of the few inhabitants. The old flintlock (muzzle-loading) rifle was the constant companion of the frontiers-

(a) I have been told by a later generation that the original windows of the house were quite small and were afterward enlarged.

(b) The following graphic account is given of the last session of the Kentucky Legislature attended by Unionists and Confederates before they had actually taken part in the struggle: "When the final session closed, as its members parted and clasped hands in adieu, they bade each other Good-Speed, well knowing that commissions in the Federal Army were already signed for many, and that for many more Confederate soldiers were waiting as leaders; knowing too that when they met again to argue the question, it would be the assize of blood, and decided by the wager of battle." Collins' History of Kentucky, Vol. 1, p. 341.

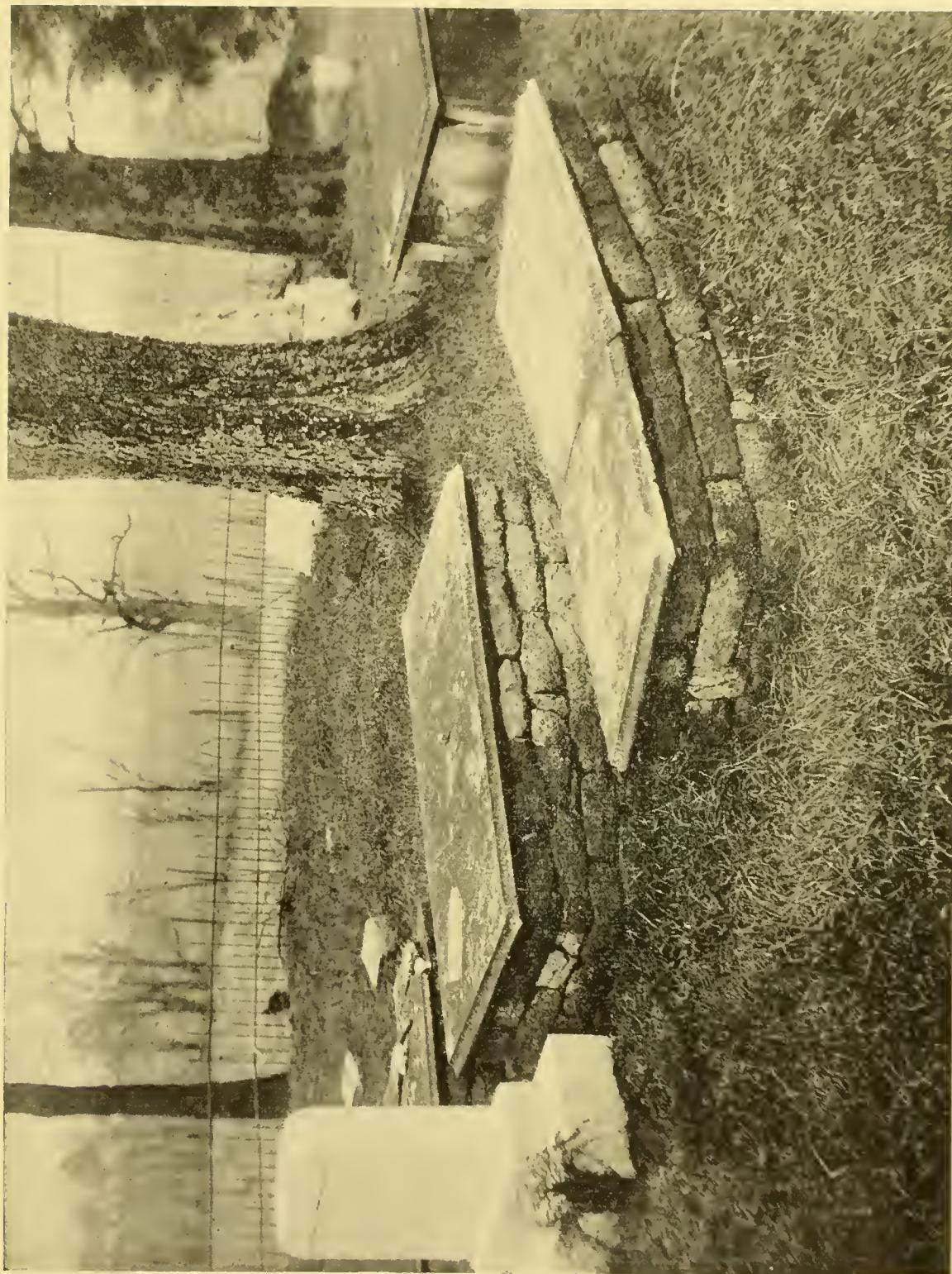
(c) Spark's Washington, Vol. 9, p. 63.

man, even when cultivating the ground. Only the savage or the pioneer skilled in woodcraft could safely venture in the great wilderness which lay west of the Alleghanies.

"The Old House on the Hill" in those days was an imposing edifice with its walls of brick in a great wilderness, where only the log-cabin or the Indian wigwam furnished shelter for human beings. The few luxuries for the Marshall homestead, after being transported thru miles of wilderness to Wheeling and from that point floated down the river, presented a strong contrast to the simple life of the backwoodsman. For many years this mansion continued a social centre after the savage had disappeared. Within its walls have assembled the leading citizens of the state up to the period of the Civil War, and even afterward its prestige was not for some time dimmed. It had not long to wait to see itself displaced as a frontier post. The Louisiana purchase, 1803, removed the barrier which held back the tide of emigration that has con-

tinued to press westward until the frontier has finally disappeared. The business and industrial development of the state and the increase of wealth have revolutionized the social life and architecture. Today the sight-seer would hardly regard the Old House as an object worthy of his attention because of its imposing appearance. It possesses, however, a character and a history which leaves it without a rival. It has witnessed the painful struggle of the Federal Government to establish itself and take its place among the Nations of the earth; it has watched like a sentinel in the wilderness guarding against the inroads of the natives, the intrigues of the courts of London and Madrid, the questionable adventurer of the Burr type seeking to stir up the elements of disaffection in a population too much accustomed to the unrestrained license of the frontier; it has felt the thrill which vibrated from the French Revolution, while Genet craftily sought to inflame the embers of discontent into a blaze, and having watched like a faithful guardian, it has grown old and been forgotten.

"Sic transit gloria mundi"



RESTING PLACE OF FOUR GENERATIONS OF MARSHALLS

Necrology

Thomas Marshall, Sr., 1730-1802.

Mary Keith M., his wife, 1737-1809.

Their children buried here are:

Thomas Marshall, Jr., 1760-1817.

Frances Kennan, his wife, 1772-1833.

Susan McClurg, 1774-1858.

Charlotte Marshall Duke, (doubtful) 1777-1817.

Children of Thomas Marshall, Jr:

Thomas Marshall III, 1793-1853 (no others of his family.)

John Marshall, 1795-1859;

Lucy Marshall, 1796-1835 (daughter of A.K.M.)

Mary K. Green, 1797-1887;

Eliza C. Marshall, 1801-1874;

Martin P. Marshall, son of Charles M., Sr., 1798-1883;

Lucy Ambler Marshall (wife of N. D. Coleman) 1802-1858;

Charles A., 1809-1896;

Phoebe A. (his wife) 1817-1902;

Children of John and Lucy Marshall:

Ann Maria (James Paxton, her husband)

Fanny M. Chambers, 1818-1840;

Mary McDowell Marshall, 1837-1899;

John Marshall, 1830-1896;

James Marshall, 1835-1913;

Children of M. P. and Eliza Marshall:

Mary Willes Marshall, 1829-1908;

R. M. Marshall, 1832-1911;

Susan M. Massie, 1838-1915;

Phoebe A. Marshall, 1840-1915;

Children of Charles A. and Phoebe Marshall:

Maria, 1836-1862;

Eliza (wife of Maurice Waller) 1841-1909;

Sarah P., 1854-1854;

Charles A., Jr., 1855-1859;

Susan, 1843-1849;

Sarah Belle Waller, 1878-1914;

Fannie (daughter of Frances Marshall) 1854-1854;

Children of A. M. and Eliza F. Marshall:

William F., 1861-1873;

Eliza, 1857-1858;

Thomas, 1871-1876;

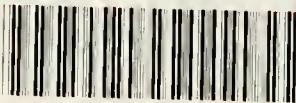
Louis, 1874-1910;

Hester (wife of J. P. Marshall) 1852-1908.

}

Dr. F. S. Tamm

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